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Liaison Counsel

[Additional Counsel Listed on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

BABAK HATAMIAN and LUSSU DENNJ
SALVATORE, Individually and on Behalf of
All Others Similarly Situated,

Plaintiffs,

vs.

ADVANCED MICRO DEVICES, INC.,
RORY P. READ, THOMAS J. SEIFERT,
and LISA T. SU,

Defendants.

) Case No. 4:14-CV-00226-PJH

) **JOINT RESPONSE AND**
) **STIPULATION BY LEAD PLAINTIFF**
) **MOVANTS KBC ASSET**
) **MANAGEMENT NV AND ARKANSAS**
) **TEACHER RETIREMENT SYSTEM**
) **AND [~~PROPOSED~~] ORDER**
) **APPOINTING LEAD PLAINTIFF AND**
) **APPROVING LEAD PLAINTIFF'S**
) **SELECTION OF COUNSEL**

) CLASS ACTION

)
) DATE: April 23, 2014
) TIME: 9:00am
) DEPT.: Courtroom 3, 3rd Floor, Oakland
) JUDGE: Hon. Phyllis J. Hamilton

JOINT RESP. AND STIP. BY MOVANTS KBC AND ARKANSAS TEACHER AND [~~PROPOSED~~] ORDER
APPOINTING LEAD PLF. AND APPROVING LEAD PLF.'S SELECTION OF COUNSEL
CASE No. 3:14-CV-00226-PJH

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1 WHEREAS, the above-captioned class action lawsuit *Hatamian v. Advanced Micro*
 2 *Devices, Inc.*, No. 3:14-CV-00226-PJH (N.D. Cal.) (the “Action”) was filed on January 15,
 3 2014 (ECF No. 1) and alleges violations of the federal securities laws on behalf of investors
 4 who purchased the common stock of Advanced Micro Devices, Inc. (“AMD”) between
 5 October 27, 2011 and October 18, 2012, inclusive (the “Class Period”);

6 WHEREAS, pursuant to Section 21(D)(a)(3)(A) of the Securities Exchange Act of
 7 1934 (“Exchange Act”), 15 U.S.C. § 78u-4(a)(3)(A), plaintiffs in the Action published a notice
 8 on January 15, 2014, advising class members of their right to move the Court to serve as lead
 9 plaintiff by March 17, 2014;

10 WHEREAS, on March 17, 2014, KBC Asset Management NV (“KBC”) timely filed a
 11 motion to be appointed Lead Plaintiff in the Action and for the approval of its selection of the
 12 law firm Motley Rice LLC (“Motley Rice”) as Lead Counsel and Lieff Cabraser Heimann &
 13 Bernstein, LLP (“Lieff Cabraser”) as Liaison Counsel for the Class, ECF No. 9;

14 WHEREAS, on March 17, 2014, Arkansas Teacher Retirement System (“Arkansas
 15 Teacher”) timely filed a motion to be appointed Lead Plaintiff in the Action and for approval
 16 of its selection of the law firm Labaton Sucharow LLP (“Labaton Sucharow”) as Lead Counsel
 17 and Berman DeValerio as Liaison Counsel for the Class, ECF No. 16;

18 WHEREAS, on March 17, 2014, Oklahoma Firefighters Pension and Retirement
 19 System (“Oklahoma”) timely filed a motion to be appointed Lead Plaintiff in the Action and
 20 for approval of its selection of the law firm Bernstein Liebhard LLP as Lead Counsel and
 21 Glancy Binkow & Goldberg LLP as Liaison Counsel for the Class, ECF No. 14;

22 WHEREAS, in the days following the filing of the respective lead plaintiff motions,
 23 counsel for KBC, Arkansas Teacher, and Oklahoma conveyed their clients’ interest in
 24 resolving the pending motions amicably and without providing fodder for defendants or
 25 forcing the Court to expend its limited resources on this issue;

26 WHEREAS, KBC and Arkansas Teacher agree that an informal resolution of the
 27 motions is appropriate and that it is in the best interests of the Class for the lead plaintiff
 28 movants to amicably advance the litigation beyond this preliminary stage;

JOINT RESP. AND STIP. BY MOVANTS KBC AND ARKANSAS TEACHER AND [PROPOSED] ORDER
 APPOINTING LEAD PLF. AND APPROVING LEAD PLF.’S SELECTION OF COUNSEL
 CASE No. 3:14-CV-00226-PJH

1 WHEREAS, the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15
 2 U.S.C. § 78u-4(a)(3)(B)(iii), provides, *inter alia*, that the most adequate plaintiff to serve as
 3 lead plaintiff is, in the determination of the Court, the “person or group of persons” that has the
 4 largest financial interest in the relief sought by the class and otherwise satisfies the relevant
 5 requirements of Federal Rule of Civil Procedure 23. *See, e.g., In re Cavanaugh*, 306 F.3d 726,
 6 729-30 (9th Cir. 2002);

7 WHEREAS, KBC reported a loss of \$823,849 from its transactions in AMD common
 8 stock during the Class Period, ECF No. 10-3;

9 WHEREAS, Arkansas Teacher reported a loss of \$621,014 from its transactions in
 10 AMD common stock during the Class Period, ECF No. 17-2;

11 WHEREAS, Oklahoma reported a loss of \$134,677 from its transactions in AMD
 12 common stock during the Class Period, ECF No. 15-3;

13 WHEREAS, counsel for KBC and Arkansas Teacher has conferred with counsel for
 14 Oklahoma, which does not oppose this stipulation and supports the appointment of KBC and
 15 Arkansas Teacher together as Lead Plaintiff, and the selection of Motley Rice and Labaton
 16 Sucharow together as Lead Counsel and Lieff Cabraser as Liaison Counsel for the Class;

17 WHEREAS, in addition to having the greatest financial interests in the Action, KBC
 18 and Arkansas Teacher also “otherwise satisf[y] the requirements of Rule 23 of the Federal
 19 Rules of Civil Procedure.” 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I)(cc), ECF Nos. 9 at 7-10, 16 at 8-
 20 9.

21 IT IS HEREBY STIPULATED and AGREED, subject to the Court’s approval, as
 22 follows:

23 1. Pursuant to 15 U.S.C. § 78u-4(a)(3)(B), KBC and Arkansas Teacher are
 24 appointed to serve as Lead Plaintiff in this Action; and

25 2. Pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(v), Lead Plaintiff’s selection of Motley
 26 Rice LLP and Labaton Sucharow as Lead Counsel for the Class and Lieff Cabraser as Liaison
 27 Counsel is approved.

/s/ Joy A. Kruse

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/s/ Christopher J. Keller (with permission)

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*Counsel for Arkansas Teacher Retirement System
and [Proposed] Lead Counsel for Class*

IT IS SO ORDERED.

DATED: 4/4/14

The Honorable Phyllis J. Hamilton
United States District Court



JOINT RESP. AND STIP. BY MOVANTS KBC AND ARKANSAS TEACHER RETIREMENT SYSTEM AND [PROPOSED] ORDER
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